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In re Application of STEMPLE
U.S. Application No.: 09/743,480
Indicated Int. Application No.: PCT/EP99/04840
Indicated Int. Filing Date: 09 July 1999
Indicated Priority Date: 10 July 1998
Attorney Docket No.: 3701/49519
For: SYSTEM FOR DETERMINING THE
CARBON DIOXIDE CONTENT OF
EXHALED BREATHING AIR

DECISION

This is in response to applicant's "Petition to Correct Transmittal Letter Under 37 C.F.R. § 1.182" filed 22 May 2001.

BACKGROUND

On 10 January 2001, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission included, *inter alia*, a Transmittal Letter (Form PTO-1390), a purported translation of the international application, an unsigned declaration, and the basic national fee. The Transmittal Letter lists PCT/EP99/04849 as the International Application Number.

On 09 May 2001, the PCT Legal Office of the USPTO mailed a communication which indicated discrepancies between certain information listed on the Transmittal Letter and corresponding information listed in International Application PCT/EP99/04849.

On 22 May 2001, applicant filed the present petition. The petition states that the correct International Application Number for the present U.S. national phase application is PCT/EP99/04840 and not PCT/EP99/04849.

DISCUSSION

The petition states that the incorrect International Application Number listed on the Transmittal Letter was the result of an unintentional error. Applicant's explanation for the discrepancy is accepted.

CONCLUSION

The petition under 37 CFR 1.182 to correct the Transmittal Letter is GRANTED.

The International Application Number is PCT/EP99/04840.

The \$130.00 petition fee set forth in 37 CFR 1.17(h) will be charged to Deposit Account No. 05-1323 as authorized by the petition.

The application will be forwarded to the DO/EO/US for processing in accordance with this decision including the preparation and mailing of a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497 must be filed.



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